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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/767,043	01/29/2004	Michael Robert Burke	ROC9200300351US1	4830
7590 Grant A. Johnson IBM Corporation, Dept. 917 3605 Highway 52 North Rochester, MN 55901-7829			EXAMINER PARK, JEONG S	
			ART UNIT 2154	PAPER NUMBER
			MAIL DATE 10/31/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/767,043	Applicant(s) BURKE ET AL.	
	Examiner Jeong S. Park	Art Unit 2154	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 January 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

1. Claims 1-17 are objected to because of the following informalities:

In claim 1, line 2, the phrase "a connection pool" should be corrected as --the connection pool-- for clear understanding of the claim;

In claim 7, line 3, the phrase "the maximum number of connections" should be corrected as --the initial maximum number of connections-- for clear understanding of the claim;

In claim 7, line 6, the phrase "the maximum number of connections" should be corrected as --the modified maximum number of connections-- for clear understanding of the claim;

In claim 15, line 5, the phrase "the maximum number of connections" should be corrected as --the initial maximum number of connections-- for clear understanding of the claim; and

In claim 15, line 9, the phrase "the maximum number of connections" should be corrected as --the modified maximum number of connections-- for clear understanding of the claim.

Appropriate correction is required.

Claim Rejections - 35 USC § 101

2. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

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3. Claims 15-17 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Claim 15 is drawn towards a computer program product comprising a signal bearing media. The signal bearing media defined in the specification is not in one of the statutory categories. The specification provides no explicit and deliberate definition of the signal bearing media.

Claim 16, which is dependent on claim 15, does not provide any explicit and deliberate definition of the signal bearing media to the claim and thus is rejected for the same.

Claim 17 is drawn towards a computer program product comprising a signal bearing media defined as the information conveyed to a computer by a communications medium. The communications medium defined in the specification is not in one of the statutory categories. The specification provides no explicit and deliberate definition of the communications medium.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

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5. Claims 1-12 and 15-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Bhogi et al. (hereinafter Bhogi)(U.S. Pub. No. 2004/0088413 A1).

Regarding claims 1, 18 and 19, Bhogi teaches as follows:

A method of configuring a server computer having a connection pool (a dynamically configurable resource pool used in a connection pool for server systems, see, e.g., abstract), comprising:

initializing a connection pool (a initial connection pool size is used to determine the number of connections that the connection pool manager will generate upon initialization of the connection pool, see, e.g., page 5, paragraph [0040]);

generating heuristic override information (interpreted as configuration parameters, see, e.g., page 5, paragraph [0040])(requestor 110 in figure 1, which is a component of the server 140 in figure 1, generates a request to change the configuration of the resource pool 100 in figure 1, see, e.g., page 3, paragraph [0025], lines 8-11); and

modifying the connection pool using the heuristic override information (configuration parameters)(the main unit 240 in figure 2 implements the requested new configuration upon receiving a configuration change request while current resource utilization continues undisturbed, see, e.g., page 5, paragraph [0041], lines 1-10).

Regarding claims 2 and 3, Bhogi teaches as follows:

the connection pool is initialized using a plurality of initial settings wherein the plurality of initial settings comprises a maximum number of connections (a initial connection pool size is used to determine the number of connections that the

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connection pool manager will generate upon initialization of the connection pool, see, e.g., page 5, paragraph [0040], lines 18-21).

Regarding claims 4-6, 9 and 20, Bhogi teaches as follows:

the heuristic override information comprises a heuristic override setting and a time period, wherein the heuristic override setting comprises a maximum number of connections (interpreted as a maximum pool size, see, e.g., page 5, paragraph [0040], lines 21-25), wherein the time period comprises at least one of a time of day, a day of week, and a day of year (whenever the requestor 110 in figure 1 generates the request change of configuration it is inherent to have the record of the requested time of day).

Regarding claims 7 and 15-17, Bhogi teaches as follows:

A method of operating a server, comprising:

initializing a connection pool with an initial maximum number of connections (a initial connection pool size is used to determine the number of connections that the connection pool manager will generate upon initialization of the connection pool, see, e.g., page 5, paragraph [0040]);

applying heuristic information (interpreted as configuration parameters, see, e.g., page 5, paragraph [0040])(requestor 110 in figure 1, which is a component of the server 140 in figure 1, generates a request to change the configuration of the resource pool 100 in figure 1, see, e.g., page 3, paragraph [0025], lines 8-11) to modify the maximum number of connections (the main unit 240 in figure 2 implements the requested new configuration upon receiving a configuration change request while current resource utilization continues undisturbed, see, e.g., page 5, paragraph [0041], lines 1-10);

in response to receiving a request to connect (connection requests, see, e.g., page 4, paragraph [0030]):

detecting a current number of connections (request for current connection pool statistics by providing current values for connection pool usage parameters such as total number of connections in the pool and total number of connections in use, see, e.g., page 4, paragraph [0031]); and

if the current number of connections is less than the maximum number of connections, creating a new connection (see, e.g., page 6, paragraph [0048] and figure 8 steps 810 and 815).

Regarding claim 8, Bhogi teaches as follows:

detecting a connection having an unused time (idle time) greater than a time-out value (connection idle time) and deleting the connection (see, e.g., page 6, paragraph [0052], lines 27-33).

Regarding claim 10, Bhogi teaches as follows:

in response to receiving a request to connect, resetting an unused time (maximum idle connection time parameter, see, e.g., page 5, paragraph [0040], lines 31-34) associated with every available connections (it is inherent to reset the idle connection time when receiving connection request).

Regarding claim 11, Bhogi teaches as follows:

if the current number of connections is greater than or equal to the maximum number of connections, waiting for a connection to become available (the current pool size is equal to the maximum pool size then the wait queue unit 250 in figure 2 places

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the request for connection on the wait queue, see, e.g., page 6, paragraph [0049] and figure 8 step 810, 840, 845, 850 and 855).

Regarding claim 12, Bhogi teaches as follows:

in response to receiving a close connection request for a connection, indicating the connection as available (when a connection is returned to the connection pool, the connection is available for the connection request waiting in the wait queue unit 250 in figure 2, see, e.g., page 6, paragraph [0049]).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bhogi et al. (hereinafter Bhogi)(U.S. Pub. No. 2004/0088413 A1) as applied to claim 7 above, and further in view of Mousseau et al. (hereinafter Mousseau)(U.S. Pub. No. 2004/0078495 A1).

Regarding claim 13, Bhogi teaches all the limitations of claim except for teaching of Java Database Connectivity connections.

Mousseau teaches as follows:

The Java Database Connectivity (JDBC) component can configure and manage database connectivity such as data sources and connection pools, see, e.g., page 12, paragraph [0153] and [0154]).

It would have been obvious for one of ordinary skill in the art at the time of the invention to modify Bhogi to include JDBC for database connectivity with connection pools as taught by Mousseau in order to efficiently and securely connect the clients to the database via the connection pool.

8. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bhogi et al. (hereinafter Bhogi)(U.S. Pub. No. 2004/0088413 A1) as applied to claim 7 above, and further in view of Chong et al. (hereinafter Chong)(U.S. Pub. No. 2004/0064552 A1).

Regarding claim 14, Bhogi teaches all the limitations of claim except for teaching of Java 2 Connector connections.

Chong teaches as follows:

The J2C pool is used for physical connections (see, e.g., page 5, paragraph [0062]).

It would have been obvious for one of ordinary skill in the art at the time of the invention to modify Bhogi to include J2C connection for database connectivity with connection pools as taught by Chong in order to efficiently and securely connect the clients to the database via the connection pool.

Conclusion

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeong S. Park whose telephone number is 571-270-1597. The examiner can normally be reached on Monday through Thursday 7:30 - 5:00 EST.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan Flynn can be reached on 571-272-1915. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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October 18, 2007